

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE	)	Chapter 7
	)	
EDWARD R. FOX,	)	Case No. 20 – 03049
Debtor.	)	Hon. Jack B. Schmetterer
	)	
	)	Hearing Date and Time:
	)	August 6, 2020 at 10:00 am

**NOTICE OF MOTION**

TO: Attached Service List

**PLEASE TAKE NOTICE THAT** on August 6, 2020, at 10:00 a.m., I shall appear before the Honorable Judge Jack B. Schmetterer, or any other judge sitting in his stead, and request a hearing on the Chapter 7 Trustee's Motion to Amend Order Employing Real Estate Broker To Sell Real Property, a copy of which is attached hereto and thereby served upon you.

**This motion will be presented and heard telephonically.** No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must set up and use an account with Court Solutions, LLC. You can set up an account at [www.CourtSolutions.com](http://www.CourtSolutions.com) or by calling Court Solutions at (917) 746-7476.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing

**CERTIFICATE OF SERVICE**

I, the undersigned, an attorney, hereby state that pursuant to Section II, B, 4 of the Administrative Procedures for the Case Management/Electronic Case Filing System, I caused a copy of the foregoing NOTICE OF MOTION and MOTION to be served on all persons set forth on the attached Service List identified as Registrants through the Court's Electronic Notice for Registrants and, as to all other persons on the attached Service List by mailing a copy of same in an envelope properly addressed and with postage fully prepaid and by depositing same in the U.S. Mail, Chicago, Illinois on the 29th day of July, 2020.

s/ Gregory K. Stern

Gregory K. Stern

Gregory K. Stern (Atty. ID #6183380)  
Monica C. O'Brien (Atty. ID # 6216626)  
Dennis E. Quaid (Atty. ID #02267012)  
Rachel S. Sandler (Atty. ID #6310248)  
53 West Jackson Boulevard, Suite 1442  
Chicago, Illinois 60604  
(312) 427-1558

**SERVICE LIST**

**Registrants Served Through The Court's Electronic Notice For Registrants**

Patrick S. Layng  
Office of the U.S. Trustee, Region 11  
219 South Dearborn Street, Room 873  
Chicago, Illinois 60604

David R. Herzog  
Herzog & Schwartz PC  
77 West Washington Street  
Suite 1400  
Chicago, Illinois 60602

Justin R. Storer  
Bauch & Michaels  
53 West Jackson Boulevard  
Suite 1115  
Chicago, Illinois 60604

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**MOTION TO AMEND ORDER EMPLOYING REAL ESTATE  
BROKER TO SELL REAL PROPERTY**

Now comes David R. Herzog, Chapter 7 Trustee (the “Trustee”), by and through his attorneys, Gregory K. Stern, Monica C. O'Brien, Dennis E. Quaid and Rachel S. Sandler, and in support of his Motion to Amend Order Employing Real Estate Broker to Sell Real Property, states as follows:

1. On February 3, 2020, Edward R. Fox (the “Debtor”) caused a Voluntary Petition for relief under Chapter 7 of the United States Bankruptcy Code to be filed; and David R. Herzog (the “Trustee”) was appointed as trustee in this case.
2. On April 6, 2020, this Court entered an Order Authorizing Employment of Real Estate Broker (the “Employment Order”) employing Alfred Cohen and Coldwell Banker to sell commercial real property located at 14445 South California, Posen, Illinois (the “Real Property”).
3. On or about July 17, 2020, Alfred Cohen moved his real estate practice to Jennings Realty Inc, 378 Park Avenue, Glencoe, Illinois.
4. Pursuant to Rule 60 of the Federal Rules of Civil Procedure, made applicable through Rule 9024 of the Federal Rules of Bankruptcy Procedure, the Debtor is requesting that

the Employment Order be amended to substitute “Jennings Realty, Inc., 378 Park Avenue, Glencoe, Illinois” for “Coldwell Banker, 640 Vernon Avenue, Glencoe, Illinois.”

**WHEREFORE**, the Trustee, David R. Herzog, requests that the Court enter an order amending the Employment Order as provided herein; and, for such other further relief as is just and property.

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/s/ Gregory K. Stern  
Attorney For Chapter 7 Trustee

Gregory K. Stern (Atty. ID #6183380)  
Monica C. O'Brien (Atty. ID # 6216626)  
Dennis E. Quaid (Atty. ID #02267012)  
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